

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BISHOP GEORGE BLOOMER, Individually,  
and GG BLOOMER MINISTRIES,  
Foreign Non-Profit Corporation,

Plaintiffs,

v.

Case No. 2:22-cv-12433-NGE-DRG

Hon. Nancy G. Edmunds  
Magistrate Judge David R. Grand

THE WORD NETWORK OPERATING  
COMPANY, INC., a Foreign Profit  
Corporation, CHURCH OF THE WORD d/b/a  
THE WORD NETWORK CHURCH, a Domestic  
Nonprofit Corporation, and KEVIN ADELL,  
Individually,

Defendants.

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*Attorneys for Defendants*

**DEFENDANTS' MOTION TO STRIKE PLAINTIFFS' RESPONSE  
TO ITS MOTION FOR SUMMARY JUDGMENT**

Defendants The Word Network Operating Company Inc., Church of the Word d/b/a The Word Network Church and Kevin Adell move to strike Plaintiffs George Bloomer and GG Bloomer Ministries Response to Defendant's Motion for Summary Judgment (ECF No. 85) because it exceeds even the voluminous 41-page extension sought by Plaintiffs for two reasons: (1) Plaintiffs' Response to Defendants' Statement of Material Facts is fashioned as a 21-page exhibit (ECF No. 85-24), but in reality, it is 21 additional pages of substantive argument by Plaintiffs, bringing the total number of pages to a whopping 62; and (2) Plaintiffs' counsel's signature block is on the 42<sup>nd</sup> page of the brief, which violates Local Rule 7.1(d)(3)(A).

The undersigned counsel certifies that counsel communicated in writing with opposing counsel, explaining the nature of the relief to be sought by way of this motion and seeking concurrence in relief; opposing counsel thereafter expressly denied concurrence.

Respectfully submitted,

**BODMAN PLC**

/s/ John T. Below

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*Attorneys for Defendants*

Dated: November 19, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that on November 19, 2024, Defendants' Motion to Strike Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and this Certificate of Service were e-filed using the ECF system which will send notification of such filing to the attorneys of record via the Court's e-file system.

/s/ John T. Below  
JOHN T. BELOW (P48677)

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*Attorneys for Defendants*

**BRIEF IN SUPPORT DEFENDANTS' MOTION TO STRIKE**  
**PLAINTIFFS' RESPONSE TO ITS MOTION FOR SUMMARY**  
**JUDGMENT**

**STATEMENT OF ISSUES PRESENTED**

1. Should Plaintiffs' Response to Defendant's Motion for Summary Judgment (ECF No. 85) be stricken because it exceeds the number of pages for a Response brief permitted by the Court?

Defendants Answer: Yes.

2. Alternatively, should Plaintiffs' Response to Defendants' Statement of Material Facts be stricken as it exceeds the number of pages for a Response brief permitted by the Court?

Defendants Answer: Yes.

**CONTROLLING AUTHORITIES**

Local Rule 7.1

Order Granting Plaintiffs' Ex Parte Motion for Leave to File A 41-Page Brief (ECF No. 86).

## **ARGUMENT**

Pursuant to Local Rule 7.1(d) and the Order Granting Plaintiffs' Ex Parte Motion for Leave to File A 41-Page Brief (ECF No. 86), Defendants request that the Court strike Plaintiffs' Response to Defendants' Motion for Summary Judgment (ECF No. 85) because it exceeds even the voluminous 41-page extension sought by Plaintiffs. In support of their motion, Defendants state as follows:

1. In preparation to file their Motion for Summary Judgment, Defendants submitted their Ex Parte Application for Leave to File A 33-Page Motion for Summary Judgment on October 18, 2024.
2. Upon instruction from the Court, Defendants filed their Ex Parte Application on October 24, 2024 (ECF No. 81), which the Court promptly granted (ECF No. 82) on that same day.
3. Defendants timely filed their (33 page) Motion for Summary Judgment on October 25, 2024.
4. Mere hours before the due date, Plaintiffs filed their Ex Parte Motion for Leave to File A 41-Page Brief (ECF No. 84) on November 15, 2024.
5. Prior to receiving the Court's approval<sup>1</sup> on their Motion, Plaintiffs filed their Opposition to Defendants' Motion for Summary Judgment (ECF No. 85) on

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<sup>1</sup> The Court granted Plaintiffs' Motion on November 18, 2024 (ECF No. 86).

November 15, 2024, but they did not limit themselves to the 41-pages they requested from the Court.

6. First, Local Rule 7.1(d)(3) states that signatures are included in the total page count of a brief, and Plaintiffs directly violate this Rule because Plaintiffs' counsel's signature block is on the 42<sup>nd</sup> page of the brief – one more page than permitted by the Court.
7. Second, Plaintiffs fashion their Response to Defendants' Statement of Material Facts as an exhibit to their Response brief (ECF No. 85-24), but, in reality, it is 21-pages of additional argument by Plaintiffs.
8. In Plaintiffs' Response to Defendants' Statement of Material Facts, they substantively respond to each and every one of Defendants' factual statements, some with citations to the record and others with vague statements of disagreement and legal argument.
9. Notably, Plaintiffs included their own Statement of Material Facts within the text of their brief (ECF No. 85, PageID.2004-2019), so their Response to Defendants' Statement of Material Facts is Plaintiffs' second attempt to explain their version of events to the Court within the same motion.
10. Plaintiffs attempt to circumvent the already voluminous 41-page limitation by including their Response to Defendants' Statement of Material Facts as an

exhibit, but it is plainly 21 pages of additional substantive argument, which is not permitted by Local Rule 7.1.

11. Allowing Plaintiffs to include their Response to Defendants' Statement of Material Facts would greatly prejudice Defendants by requiring them to address 62-pages of argument in a Reply brief.
12. As such, pursuant to Local Rule 7.1 and the Court's Order Granting Plaintiffs' Motion to File a 41-Page Brief, Defendants request that Plaintiffs' Response be stricken because it exceeds the page limit.

Respectfully submitted,

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*Attorneys for Defendants*

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*/s/ John T. Below*  
JOHN T. BELOW (P48677)